
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: March 16, 2011
Time of Meeting: 7:30 P.M.
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The Regular Meeting of the West Milford Township Council was called to order by Mayor Bettina Bieri.

Adequate Notice Statement

Mayor Bieri read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Regular meeting was advertised in the Herald News in its issue of December 19, 2010 and January 9, 2011; copies were provided to the Suburban Trends, the Record, Star Ledger, and Greenwood Lake News and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

Please also make note of all fire and emergency exits – located to the left, right, and rear of this room - for use in case of an emergency. Thank you.

Pledge of Allegiance

Mayor Bieri led all in attendance in a salute to the flag.

Roll Call

Present: Councilmembers, Joseph Smolinski, Michael Ramaglia, Edward Rosone,
Luciano Signorino, Daniel Jurkovic, Mayor Bettina Bieri.
Absent: Philip Weisbecker.
Also Present: Township Administrator Kevin Boyle, Township Clerk Antoinette Battaglia,
Township Attorney Frederick Semrau

Mayor Bieri made the following comments:

Agenda No. I

Reading of or Approval of Unapproved Minutes

Councilman Ramaglia moved to adopt the September 1, 2010 Workshop Meeting as presented:

Moved: Ramaglia Seconded: Rosone
Voted Aye: Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.
Voted Nay: None.
Abstain: None.
Motion carried.

Agenda No. II

Presentations

Swearing-In of Special Police Officers -

Mayor Bieri invited Acting Chief Chiosie and the special police officers to join her at the podium. Each special officer introduced him or herself. Acting Chief Chiose commended the specials for their help especially with traffic duties at all municipal events and to meet special needs. They support the police department and serve in many ways including being our eyes & ears in the community. He welcomed Laura Paul, a former police officer, to the ranks of the special officers. Mayor Bieri stated that special police officers are a critical support to the police department and she thanked them. Mayor Bieri administered the oaths of office.

Agenda No. III

Proclamations

Women's History Month – Mayor Bieri read the proclamation which will be mailed out tomorrow from the Clerk's office.

Agenda No. IV

Unfinished Business, Final Passage of Ordinances

Agenda No. IV 1.

Ordinance 2011-001

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION FOR A MUNICIPAL REVALUATION IN ACCORDANCE WITH N.J.S.A. 40A:4-54

BE IT ORDAINED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey, that pursuant to N.J.S. 40A:4-54 (Ch. 48, P.L. 1956 as amended by Ch. 144, P.L.

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1965 and Ch. 38, P.L. 1969) the sum of \$1,000,000 is hereby appropriated for the revaluation of property and shall be deemed a special emergency appropriation as defined and provided for in N.J.S. 40A:4-55.

The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least 1/5 of the amount authorized pursuant to this act (N.J.S. 40A:4-55).

BE IT FURTHER ORDAINED that this ordinance shall take effect at the time and in the manner provided by law.

INTRODUCED: February 16, 2011
ADOPTED: March 16, 2011
EFFECTIVE DATE: April 5, 2011

This Ordinance was introduced on February 16, 2011 and the Notice of Public Hearing was published in the Herald News on February 20, 2011. The Council will open the meeting to the public to speak to this ordinance only.

Mayor opened the meeting to the public.

There being no comments from the public, Councilman Smolinski made a motion, seconded by Councilman Rosone, to close this public portion of the meeting. Approved by unanimous roll call vote.

Motion to adopt ordinance.

Moved: Smolinski Seconded: Rosone
Voted Aye: Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. V

Public Comments

Mayor Bieri opened the meeting to the public after advising that there is a five-minute limit for each speaker.

Mark Stevens, Attorney for Tennessee Gas Pipeline (TGP) stated that when he last appeared before Council it was to discuss terms of a ROW for the construction of a pipeline project across the Wallisch property. Terms were worked out and signed by all parties. Pursuant to those terms, construction is proceeding. The Council is aware that the ultimate goal is to arrive at the terms of a permanent ROW to modify and update the easement agreement executed in 1955 by the Wallisch family. The approved ROW gives TGP the right to construct but ultimately the need is for permanent access. An ordinance is required to have Council approval for this permanent ROW and he is here to ask the Council to take action. Mr. Semrau addressed Mr. Stevens noting that he represents TGP. From a standpoint that an agreement is currently being worked on, it is not proper for him to stand here before Mr. Semrau's client speaking about terms and negotiating this contract in this manner. He should not speak directly to the Council knowing that such action is not appropriate or necessary. Mr. Stevens stated that he has not come to attempt to negotiate anything. Mr. Semrau clarified that the parties are in the process of negotiating so there is no purpose to come here to push an agenda. Mr. Stevens stated that he will wait to hear from counsel.

Michael Horner 353 Oak Ridge Road, West Milford stated that he has been filling out permits for the Greenwood Lake power boat race and thanked the administrator for getting it on agenda. His organization will do everything to make a successful event despite the amount of work involved.

Doris Aaronson, 19 Bearfort Road, West Milford stated that she will be giving the Township Attorney four items. A copy of a transcript of an appeals court case about illegal budget subcommittee meetings; two chapters from Westlaw; and a copy of the sunshine act. The appellate court rule was that you cannot have executive committee meetings on anything other than ten specific exemptions. This may be a problem for the subcommittees who are meeting to discuss the municipal budget and finances. Westlaw says that there is a procedure for the establishment of a subcommittee which requires the adoption of a resolution or a formal vote. Westlaw also states that such subcommittee meetings must have minutes and recordings. The sunshine act addresses the issue of quorums. The subcommittee should have less than an effective majority which would be two members not three. While DPW is filling in potholes she asked that they look at two significant potholes with barrels in front of them on Pinecliff Drive. She asked that these potholes be taken care of.

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Councilman Jurkovic commended the police department for work to eliminate drugs in town. During the budget process he and Council President Smolinski learned about the problems with County and enforcement after arrests are made. He stated that he would not be adverse to amending the agreement with the bi-state lake commission but would like to know how they would expend the funds. Mr. Boyle stated that the commission should send a letter formally advising what they would like. He will reach out to the chairperson. Mr. Semrau stated that the Township would need to know Commission's sources of funding and expenditures.

Mayor Bieri noted that even if there are delinquencies, we have tax sales. If a house with a municipal lien is sold, we collect payment in full. Mr. Semrau concurred stating that the municipality collects on taxes and any municipal charges. Mayor Bieri noted that the boat fees legislation requires that both states adopt the same legislation before the boat fees can be collected.

Agenda No. VII

New Business, Introduction of Ordinances, Resolutions

Agenda No. VII 1
~ Ordinance No. 2011- 002~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 321, SOLID WASTE; RECYCLING, SECTION 321-3, STORAGE OF GARBAGE AND REFUSE, OF THE REVISED GENERAL ORDINANCES AS AMENDED

BE IT ORDAINED by the Municipal Council of the Township of West Milford, County of Passaic, State of New Jersey, as follows:

SECTION 1. Chapter 321, Solid Waste; Recycling, Section 321-3, Storage of Garbage and Refuse, Subsection (G) of the aforesaid Revised General Ordinances is hereby amended and supplemented to read as follows:

§ 321-3. Storage of garbage and refuse.

G. (1) Bulk items, such as furniture, mattresses and rugs, will be collected on regular scheduled garbage collection day, with a limit of 1 bulk item, 3 cans and 1 bundle of construction material every garbage collection.

(2) **No individual or entity that engages in the sale or resale of recycling material** shall attempt to recover or remove any of the RECYCLING items left at curbside intended for bulk pick up, including items intended for metal pick up and recycling without the consent of the Township Recycling Coordinator, as stated in Section 321-21 of this Chapter. Failure to obtain said consent shall result in a violation of this Chapter and shall subject the violator to the penalties provided for in Section 321-11.

SECTION 2. All ordinances of the Township of West Milford which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 4. This Ordinance may be renumbered for purposes of codification.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

INTRODUCED: March 16, 2011

Mayor Bieri advised that ordinance 2011-002 was being introduced. A second reading and public hearing for the Ordinance is set for the Regular Meeting of the Township Council scheduled for April 20, 2011. Notice of this public hearing shall be published in the Herald News on or about April 24, 2011. She opened the meeting to the public to speak on this matter only.

Moved: Smolinski Seconded: Ramaglia
Voted Aye: Smolinski, Ramaglia, Rosone, Jurkovic.
Voted Nay: Signorino.
Motion carried.

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The Mayor asked to take action on the following resolutions as one, 2011-097, 2011-098, 2011-099, 2011-100, 2011-101, 2011-102, 2011-103, 2011-104, 2011-105, 2011-106, 2011-107, 2011-108, 2011-111, 2011-112, 2011-113, 2011-114, 2011-115, 2011-116, 2011-117, 2011-118, 2011-119, 2011-120, and 2011-121.

Agenda No. VII 2

~ Resolution No. 2011- 097~

SPECIAL EMERGENCY RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO MEET EXPENSES INCURRED TO CONDUCT A TOWNWIDE REVALUATION AND FINANCING OF SAME (N.J.S.A. 40A:4-54)

WHEREAS, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses incurred, by reason of the need to perform a revaluation of property, and;

WHEREAS, N.J.S.A. 40A:4-54 et seq., provides that it shall be lawful to make such appropriations, which appropriation and or the "special emergency notes" issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least 1/5 of the amount authorized pursuant to this act,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford in the County of Passaic (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-55;

1. An emergency appropriation be and the same is hereby made for:
Perform a Revaluation of Property \$1,000,000
2. That the Chief Financial Officer has certified that the expenditures to be financed through this resolution are related to the aforementioned emergency.
3. That said emergency appropriation shall be provided for by the inclusion of not less than \$200,000 (at least 1/5 of the total amount) in each of the next succeeding annual budgets.

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed with the Director of Local Government Services.

Adopted: March 16, 2011

Moved: Smolinski Seconded: Rosone
Voted Aye: Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. VII 3

~ Resolution No. 2011- 098 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE PROVISION OF A REVALUATION WITH APPRAISAL SYSTEMS, INC.

WHEREAS, the Passaic County Board of Taxation and the Director of the Division of Taxation, State of New Jersey have ordered a revaluation program to be effective for the tax year 2011; and

WHEREAS, as a result of such direction, the Township is in need to engage the services of a licensed revaluation firm to render necessary advice and assistance in the said project; and

WHEREAS, the Township desires to engage the services of Appraisal Systems, Inc. to provide such professional appraisal services to assist the Township in conducting the revaluation program for the tax year 2011; and

WHEREAS, Appraisal Systems, Inc. has forwarded to the Township a proposal and Contract for such professional appraisal services which documents have been reviewed by Township Administrator, Tax Assessor and Township Attorney and have been found to be satisfactory and acceptable; and

WHEREAS, the Township desires to enter into said Contract with Appraisal Systems, In. in the amount of \$798,500; and

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WHEREAS, the Chief Financial Officer of the Township has advised that funding will be made available by way of a Bond Ordinance to be considered and adopted by the Township Council.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of West Milford, County of Passaic and State of New Jersey as follows:

1. That the Mayor and Township Clerk are hereby authorized and directed to execute a Contract, which is on file in the Township Clerk's Office, with Appraisal Systems, Inc. for the provision of a Revaluation of all real property for tax equalization purposes for the tax year 2011 in an amount not to exceed \$798,500;
2. This Contract is awarded without competitive bidding as "Professional Services" pursuant to N.J.S.A. 19:44A-20 et seq. and the local public contracts law.
3. The Contract shall commence March 1, 2011;
4. That a notice of this action shall be published in accordance with law, and said notice to provide that the Contract awarded and this resolution authorizing same are available for inspection in the Office of the Township Clerk;
5. That the attached Contract shall be subject to the Township adopting a Bond Ordinance to fund this Contract without appeal.

Adopted: March 16, 2011

Agenda No. VII 4

~ Resolution No. 2011- 099 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$10,377,523 BOND ANTICIPATION NOTES OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to a bond ordinance of the Township of West Milford, in the County of Passaic (herein called "local unit") entitled: "Bond ordinance providing for the improvement of various roads in and by the Township of West Milford, in the County of Passaic, New Jersey, appropriating \$4,688,250 therefor and authorizing the issuance of \$4,465,000 bonds or notes of the Township for financing such appropriation", finally adopted on March 28, 2007 (#2007-06), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$3,888,673 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 2. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$3,342,360, and authorizing the issuance of \$3,175,242 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on September 3, 2008 (#2008-40), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$2,331,300 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3(a) (to the extent of \$2,175), Section 3(b) (to the extent of \$2,264,287 and Section 3(c) (\$64,838), of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 3. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the improvement of Magnolia Road in and by the Township of West Milford, in the County of Passaic, New Jersey, appropriating \$235,000 therefor, directing a special assessment of the cost thereof, and authorizing the issuance of \$175,000 bonds or notes of the Township for financing the same", finally adopted on September 24, 2008 (#2008-45), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$152,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 4. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$3,322,778, and authorizing the issuance of \$2,863,550 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on August 26, 2009 (#2009-017), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$2,863,550 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance,

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including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 5. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$1,675,000, and authorizing the issuance of \$1,142,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on December 15, 2010 (#2010-016, Bond Anticipation Notes of the local unit in a principal amount not exceeding \$1,142,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 6. Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit authorized pursuant to bond ordinances of the local unit hereinabove in Sections 1 to 5 described, shall be combined into a single and combined issue of bonds in the principal amount of \$10,377,523.

Section 7. The following matters in connection with said Bond Anticipation Notes are hereby determined:

(a) All notes issued hereunder shall mature at such times as may be determined by the treasurer or the chief financial officer of the local unit (the "chief financial officer"), provided that no note issued pursuant to Sections 1 to 5 hereof shall mature later than (i) one year from the date of the first such note issued pursuant to the respective ordinances referred to in said Sections, and (ii) three years from the date of the first note issued pursuant to each such respective ordinance unless the local unit shall have paid and retired amounts of such notes sufficient to allow it, in accordance with provisions of Section 40A:2-8 of the Local Bond Law, to renew a portion thereof beyond the third anniversary date of the first of such notes;

(b) All notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer of the local unit; and

(c) The notes shall be in the form prescribed by resolution heretofore adopted by the governing body of this local unit determining the form of Bond Anticipation Notes issued pursuant to the Local Bond Law, and any such notes may be signed or sealed by officers of the local unit in any manner permitted by Section 40A:2-25 of said Local Bond Law notwithstanding that said form or resolution may otherwise provide.

Section 8. The chief financial officer of the local unit is hereby authorized and directed to determine all matters in connection with said notes not determined by this or a subsequent resolution, and the chief financial officer's signature upon said notes shall be conclusive as to such determinations.

Section 9. The chief financial officer of the local unit is hereby authorized to sell said Bond Anticipation Notes from time to time at public or private sale in such amounts as the chief financial officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Section 10. Any instrument issued pursuant to this resolution shall be a general obligation of the local unit, and the local unit's faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 11. The chief financial officer of the local unit is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

Section 12. The chief financial officer of the local unit is hereby authorized to execute and deliver all documents and to do all matters useful, convenient or desirable in connection with the sale, issuance and delivery of said notes, including without limitation, if necessary, (a) the preparation, delivery, distribution and execution of a "deemed final" preliminary official statement and a final official statement of the local unit relating to said notes, (b) the execution and delivery of an arbitrage and use of proceeds certificate in a form approved by bond counsel, (c) the execution and delivery of a continuing disclosure undertaking in a form approved by bond counsel and (d) the preparation, distribution and publication, if desirable, of a notice of sale with respect to said notes.

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Section 13. This resolution shall take effect immediately.

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Discussion: Administrator Boyle explained that the Township Auditor has recommended that West Milford restructure its long term debt. To that end, there was a note sale last year and this resolution rolls those bond anticipation notes over for another year. If these notes are not paid off, this will eventually become permanent financing.

Agenda No. VII 5

~ Resolution No. 2011- 100 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE 2011 TEMPORARY BUDGET

WHEREAS, NJSA 40A:4-19 provides that where contracts, commitments or payments are to be made prior to the final adoption of the 2011 budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

WHEREAS, said temporary appropriations are extended and now limited to 26.25% of the total appropriation in the 2011 budget, exclusive of any appropriations made for debt service, public assistance, and capital improvement fund in said 2010 budget,

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford that the following temporary budget appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

APPROPRIATION	ACCOUNT NUMBER	2010 BUDGET AS ADOPTED	2011 TEMPORARY BUDGET	COMMENTS / EXPLANATIONS
ADMINISTRATOR				
Administrator S&W	01-20-100-100	\$338,000	\$88,725	
Administrator O.E.	01-20-100-200	\$69,550	\$18,257	
TOTAL		\$407,550	\$106,982	
PERSONNEL				
Personnel S&W	01-20-105-100	\$0	\$ -	
Personnel O.E.	01-20-105-200	\$0	\$ -	
TOTAL		\$0	\$0	
MAYOR & COUNCIL				
Township Mayor & Council S&W	01-20-110-101	\$34,000	\$8,925	
Township Mayor & Council O.E.	01-20-110-200	\$850	\$223	
TOTAL		\$34,850	\$9,148	
INFORMATION TECHNOLOGY				
Information Technology S&W	01-20-140-100	\$77,500	\$20,344	
Information Technology O.E.	01-20-140-200	\$55,575	\$14,588	
TOTAL		\$133,075	\$34,932	
Legal O.E.	01-20-155-200	\$234,000	\$125,650	twp attys by reso
GENERAL SERVICES				
General Services S&W	01-20-161-100	\$20,000	\$5,250	
General Services O.E.	01-20-161-200	\$74,000	\$19,425	
TOTAL		\$94,000	\$24,675	
INSURANCE				
Insurance, Other	01-23-210-200	\$823,000	\$495,000	1st installment due Feb.
Insurance, Other, Less Library Charge Back	01-23-210-200		\$ -	
Insurance, Group	01-23-220-506	\$3,262,000	\$856,275	
Insurance, Group - Less Library Chargebacks	01-23-220-506		\$ -	
TOTAL		\$4,085,000	\$1,351,275	
Heritage O.E.	01-20-173-200	\$0	\$ -	
CLERK				

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Clerk S&W	01-20-120-100	\$231,000	\$60,638	
Clerk O.E.	01-20-120-200	\$23,530	\$6,177	
TOTAL		\$254,530	\$66,814	
ELECTIONS				
Elections S&W	01-20-146-101	\$600	\$ -	Seasonal
Elections O.E.	01-20-146-101	\$16,400	\$ -	Seasonal
TOTAL		\$17,000	\$ -	
TREASURER				
Treasurer S&W	01-20-130-100	\$153,565	\$40,311	
Treasurer O.E.	01-20-130-200	\$5,860	\$1,538	
Treasurer O.E. - Less Library Chargebacks	01-20-130-200		\$ -	
TOTAL		\$159,425	\$41,849	
ANNUAL AUDIT				
Annual Audit	01-20-135-200	\$40,000	\$10,500	
Annual Audit Additional Services	01-20-135-201	\$10,000	\$2,625	
TOTAL		\$50,000	\$13,125	
TAX COLLECTOR				
Tax Collector S&W	01-20-145-100	\$211,043	\$55,399	
Tax Collector O.E.	01-20-145-200	\$11,990	\$3,147	
TOTAL		\$223,033	\$58,546	
ASSESSOR				
Tax Assessor S&W	01-20-150-200	\$275,606	\$72,347	
Tax Assessor O.E.	01-20-150-200	\$5,070	\$1,331	
TOTAL		\$280,676	\$73,677	
PLANNING BOARD O.E.	01-21-180-200	\$34,900	\$9,161	
COMPREHENSIVE PLANNING				
Planning, Comp. S&W	01-21-181-100	\$173,859	\$45,638	
Planning, Comp. O.E.	01-21-181-200	\$38,400	\$10,080	
TOTAL		\$212,259	\$55,718	
ZONING ADMINISTRATION S&W	01-21-185-100	\$74,543	\$19,568	
BOARD OF ADJUSTMENT O.E.	01-21-186-200	\$28,400	\$28,000	prof serv contracts by reso
HISTORIC PRESERVATION				
Historic Preservation S&W	01-20-175-101	\$1,600	\$420	
Historic Preservation O.E.	01-20-175-200	\$800	\$210	
TOTAL		\$2,400	\$630	
Autumn Lights Festival	01-20-171-200	\$3,000	\$ -	Seasonal
BUILDING / CODE ENFORCEMENT				
Building S&W	01-22-195-100	\$365,007	\$95,814	
Building O.E.	01-22-195-200	\$6,730	\$1,767	
TOTAL		\$371,737	\$97,581	
ENVIRONMENTAL COMMISSION				
Environmental Commission S&W	01-22-196-101	\$1,600	\$420	
Environmental Commission O.E.	01-22-196-200	\$880	\$231	
TOTAL		\$2,480	\$651	
POLICE DEPARTMENT				
Police Patrol S&W	01-25-240-100	\$4,426,534	\$1,161,965	
Police Patrol O.E.	01-25-240-200	\$69,850	\$18,336	
Police Patrol-Purchase of Police Vehicles	01-25-240-201	\$124,000	\$19,500	Deferred to later in year
Police Detective S&W	01-25-241-100	\$510,500	\$134,006	
Police Administration S&W	01-25-242-100	\$623,294	\$101,285	
Police Communication S&W	01-25-243-100	\$278,000	\$45,175	
Police Comm. O.E.	01-25-243-200	\$10,000	\$2,625	
Police Specials S&W	01-25-244-100	\$33,000	\$8,663	
Police Specials O.E.	01-25-244-200	\$3,900	\$1,024	
TOTAL		\$6,079,078	\$1,492,579	
OEM				

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Emergency Management S&W	01-25-252-100	\$5,000	\$1,313	
Emergency Management O.E.	01-25-252-200	\$20,000	\$5,250	
TOTAL		\$25,000	\$6,563	
FIRST AID SQUADS				
First Aid - WMFAS Contributions	01-25-260-200	\$60,650	\$15,921	
First Aid - UGL 1st Aid Squad Contributions	01-25-261-200	\$40,500	\$10,631	
TOTAL		\$101,150	\$26,552	
FIRE DEPARTMENT				
Aid To Vol. Fire Co.	01-25-255-200	\$90,000	\$23,625	
Fire Prevention Bureau S&W	01-25-265-100	\$179,584	\$47,141	
Fire Prevention Bureau O.E.	01-25-265-200	\$15,000	\$3,938	
Fire Co. Admin. S&W	01-25-266-100	\$7,700	\$2,021	
Fire Co. Admin. O.E.	01-25-266-200	\$243,650	\$63,958	
LOSAP	01-25-267-200	\$40,000	\$0.00	Deferred to later in year
TOTAL		\$575,934	\$140,683	
ENGINEERING				
Engineering S&W	01-20-165-100	\$456,022	\$119,706	
Engineering O.E.	01-20-165-200	\$20,400	\$5,355	
TOTAL		\$476,422	\$125,061	
DPW				
DPW Streets & Roads S&W	01-26-290-100	\$1,605,630	\$421,478	
DPW Streets & Roads O.E.	01-26-290-200	\$286,900	\$75,311	
DPW Buildings & Grounds S&W	01-26-291-100	\$95,274	\$25,009	
DPW Buildings & Grounds O.E.	01-26-291-200	\$37,900	\$10,500	
DPW Snow Removal S&W	01-26-294-100	\$235,000	\$235,000	Seasonal need 100%
DPW Snow Removal O.E.	01-26-294-200	\$1,206,645	\$815,000	Seasonal need 100%
DPW Vehicle Maintenance S&W	01-26-315-100	\$249,251	\$65,428	
DPW Vehicle Maintenance O.E.	01-26-315-200	\$278,500	\$100,000	
TOTAL		\$3,995,100	\$1,747,727	
HEALTH DEPARTMENT				
Public Health S&W	01-27-330-100	\$276,359	\$72,544	
Public Health O.E.	01-27-330-200	\$41,655	\$10,934	
Vital Statistics S&W	01-27-331-100	\$9,000	\$2,363	
Vital Statistics O.E.	01-27-331-200	\$18,300	\$4,804	
Housing Standard Bureau O.E.	01-27-332-441	\$25,000	\$6,563	
Environmental Health S&W	01-27-335-100	\$227,055	\$59,602	
Environmental Health O.E.	01-27-335-200	\$65,000	\$36,000	REHS prof serv by reso
Animal Control S&W	01-27-340-100	\$80,602	\$21,158	
Animal Control O.E.	01-27-340-450	\$0	\$ -	
TOTAL		\$742,971	\$213,967	
RECREATION				
Recreation Programs S&W	01-28-370-100	\$407,035	\$106,847	
Recreation Programs O.E.	01-28-370-200	\$132,000	\$34,650	
Recreation.- Bubbling Springs S&W	01-28-371-100	\$167,000	\$ -	Seasonal later in year
Recreation.- Bubbling Springs O.E.	01-28-371-200	\$50,000	\$9,896	Seasonal later in year
Recreation.- Admin. S&W	01-28-372-100	\$176,684	\$46,380	
Recreation.- Admin. O.E.	01-28-372-200	\$14,400	\$3,780	
Recreation.- Hillcrest S&W	01-28-374-100	\$138,741	\$36,420	
Recreation.- Hillcrest O.E.	01-28-374-200	\$20,350	\$5,342	
Recreation.- Parks Maintenance S&W	01-28-375-100	\$275,073	\$72,207	
Recreation.- Parks Maintenance O.E.	01-28-375-200	\$117,350	\$30,804	
Senior Citizen Services S&W	01-28-376-100	\$113,304	\$29,742	
Senior Citizen Services O.E.	01-28-376-200	\$12,125	\$3,183	
TOTAL		\$1,624,062	\$379,250	
VETERAN'S BUREAU				
Veteran's Bureau S&W	01-20-172-100	\$1,500	\$394	

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Veteran's Bureau O.E.	01-20-172-200	\$0	\$ -	
TOTAL		\$1,500		
PUBLIC ASSISTANCE				
Public Assistance S&W	01-27-345-100		\$ -	
Public Assistance O.E.	01-27-345-200		\$ -	
TOTAL			\$ -	
Celebration of Public Events O.E.	01-30-420-200	\$6,550	\$ -	Seasonal later in year
Mass Transportation	01-30-431-200	\$87,088	\$22,861	
LIBRARY				
Library S&W	01-29-390-100	\$536,245	\$140,764	
Library O.E.	01-29-390-200	\$703,124	\$184,570	
TOTAL		\$1,239,369	\$325,334	
MUNICIPAL COURT				
Municipal Court S&W	01-43-490-100	\$312,723	\$82,090	
Municipal Court O.E.	01-43-490-200	\$12,350	\$3,242	
Municipal Court Prosecutor S&W	01-43-491-101	\$26,000	\$7,000	
Municipal Court Public Defender Fees	01-43-495-450	\$0	\$ -	
TOTAL		\$351,073	\$92,332	
UTILITIES & FUELS				
Utilities-Electricity	01-31-430-200	\$160,200	\$42,053	
Utilities-Street Lights	01-31-435-200	\$49,000	\$12,863	
Utilities-Telephone	01-31-440-200	\$150,000	\$45,000	
Utilities-Natural Gas	01-31-446-200	\$117,500	\$30,844	
Utilities-Fuel	01-31-460-200	\$410,000	\$200,000	
TOTAL		\$886,700	\$330,759	
MISCELLANEOUS AND STATUTORY EXPENDITURES				
PENSION & FICA				
PERS	01-36-471-532	\$605,686	\$ -	Deferred to 2nd Quarter
PERS - Less Library Chargebacks	01-36-471-532		\$ -	Deferred to 2nd Quarter
Social Security	01-36-472-533	\$658,316	\$172,808	
Less Library Charge backs - Social Security	01-36-472-533		\$ -	
PFRS	01-36-473-534	\$1,159,055	\$ -	Deferred to 2nd Quarter
TOTAL		\$2,423,057	\$172,808	
Salaries & Wages Adjustment Account	01-37-480-501	\$0	\$ -	No Budget needed for 10
Compensated Absences	01-38-485-110	\$120,000		Deferred to later in year
DEFERRED CHARGES & RESERVE FOR UNCOLLECTED TAXES				
Judgements	01-37-480-503	\$24,360		No Deficit/No budget
Deficit in 2004 Assessment Bonds	01-46-886-000	\$4,185		No budget
Over Expenditure of Appropriations	01-46-887-531	\$14,851		Deferred to later in year
Reserve for Tax Appeals	01-46-886-667	\$9		Deferred to later in year
	01-46-887-528			Deferred to later in year
Def Charges - Ord 92-14 Impr to Mun Prop	01-46-875-528	\$39,000		Deferred to later in year
	01-46-877-000			No Budget
Reserve for Uncollected Taxes	01-50-899-200	\$1,887,923		Exempt
TOTAL		\$1,970,328	\$ -	
GRANTS	G-02-41	\$526,802	\$138,286	
SUBTOTAL		\$27,935,042	\$7,332,742.08	26.25%
CURRENT YEAR CAPITAL				
Capital Improvements Fund	01-44-900-200	\$159,495	\$ -	Exempt
Cap Improvements Fund Down Payments	01-44-900-200		\$ -	Exempt
Cap. Improv. Fund-Fire Emer Equip.	01-44-939-290	\$30,000		
TOTAL		\$189,495	\$ -	
DEBT SERVICE				
Debt Service Total	01-45-000-000	\$2,427,243	\$1,735,000.0000	Exempt
TOTAL OPERATING BUDGET		\$30,551,780	\$9,067,742	
SOLID WASTE DISTRICT BUDGET				

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Solid Waste S&W	26-55-500-100	\$170,000	\$44,625	
Solid Waste O.E. All Other	26-55-500-200	\$109,250	\$17,753	
Contractual Services	26-55-500-202	\$1,121,302	\$305,267	
Disposal Fees	26-55-500-203	\$750,000	\$196,875	
Grants - Recycling County of Passaic	26-41-753-336	\$0	\$	-Exempt
Prior Year's Bills	26-55-900-900	\$0	\$	-No budget
Commercial Pick Up	26-55-500-201	\$0	\$	-No budget
TOTAL		\$2,150,552	\$564,520	26.25%

Adopted: March 16, 2011

Agenda No. VII 6

~ Resolution No. 2011- 101 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO TRANSFER ITEMS OF CURRENT FUND APPROPRIATIONS IN ACCORDANCE WITH THE PROVISION OF N.J.S.A. 40:A4-58

WHEREAS, there appears to be a surplus in the 2010 appropriation over and above the demand deemed to be necessary for the balance of the year:

APPROPRIATION	ACCOUNT NUMBER	TRANSFER PROPOSAL
Engineering S&W	01-20-165-100	\$ 2,000
Bubbling Springs S&W	01-28-371-101	\$ 14,100
Police Patrol S&W	01-25-240-100	\$ 74,400
Fire Co Administration O.E.	01-25-266-200	\$ 15,000
Bubbling Springs S&W	01-28-371-100	\$ 13,500
TOTAL TRANSFERS OUT		\$ 119,000

WHEREAS, there appears to be insufficient funds in the following appropriations to meet the demands thereon for the balance of the 2010 budget year.

Engineering O.E.	01-20-165-450	\$ 5,400
Snow Removal S&W	01-26-294-100	\$ 44,000
Autumn Lights Festival	01-20-171-471	\$ 1,700
Audit O.E.	01-20-135-200	\$ 2,000
Information Technology O.E.	01-20-140-200	\$ 2,400
Building S&W	01-22-195-100	\$ 3,100
Police Admin S&W	01-25-242-100	\$ 44,800
Police Comm S&W	01-25-243-100	\$ 2,800
Public Health S&W	01-27-330-100	\$ 3,700
Animal Control S&W	01-27-340-100	\$ 800
Tax Assessment S&W	01-20-150-100	\$ 200
Comprehensive Planning S&W	01-21-181-100	\$ 1,000
Detective Bureau S&W	01-25-241-100	\$ 5,000
Fire Prevention S&W	01-25-265-100	\$ 2,100
TOTAL TRANSFERS IN		\$ 119,000

NOW, THEREFORE BE IT RESOLVED, by the Council of the Township of West Milford in the County of Passaic, State of New Jersey, that in accordance with the provisions of N.J.S.A. 40A:4-58, part of the 2010 appropriation heretofore mentioned be and the same are hereby transferred to the appropriations mentioned as being insufficient to meet prior demands, and

BE IT FURTHER RESOLVED, that the Treasurer is hereby authorized to make the following transfer in the 2010 appropriation:

1. \$119,000.00
2. \$119,000.00 CURRENT FUND

A certified copy of this Resolution shall be forwarded by the Township Clerk to the Township Treasurer.

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~ Resolution No. 2011- 102 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A 2011 TAX TITLE LIEN SALE

WHEREAS, the Collector of Taxes has requested that the Township conduct a 2011 Tax Title Lien Sale on Tuesday April 19, 2011 at 10:00 a.m.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford that the proper officers be and are hereby authorized and directed to conduct a 2011 Tax Title Lien Sale in the Township Meeting Room on Tuesday April 19, 2011 at 10:00 a.m.

Adopted: March 16, 2011

Agenda No. VII 8

~ Resolution No. 2011- 103 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP AND PROPERTYROOM.COM FOR THE ON-LINE SALE OF MUNICIPAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE AND FOR THE SALE OF SEIZED OR FORFEITED PROPERTY

WHEREAS, on December 3, 2008 by virtue of Local Finance Notice 2008-21 the State of New Jersey, Department of Community Affairs, Division of Local Government Services promulgated a list of five approved vendors authorized to enter into contracts for the sale of surplus property without having to first obtain Division approval; and

WHEREAS, the Township of West Milford anticipates the need to engage such services for the sale of surplus property as well as seized and forfeited property; and

WHEREAS, the Township Administrator and Acting Police Chief have recommended that the Township of West Milford engage the services of PropertyRoom.com, a vendor who is on the State approved list to provide such services;

WHEREAS, compensation for these services shall be in accordance with the provisions for same contained in the contract which is on file in the Office of the Township Clerk; and

WHEREAS, as a result of such terms, a certification of funds is not required.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford, County of Passaic and State of New Jersey that the Mayor and the Municipal Clerk are hereby authorized to execute an agreement with the PropertyRoom.com; and

BE IT FURTHER RESOLVED, that Township Official(s) requesting permission to sell used and confiscated Township property through PropertyRoom.com are hereby instructed to coordinate all sales with the Township Clerk in accordance with the procedures established and promulgated by the State of New Jersey, Department of Community Affairs, Division of Local Government Services.

Adopted: March 16, 2011

Agenda No. VII 9

~ Resolution No. 2011- 104 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP AND MEADOWLANDS TRANSPORTATION BROKERAGE CORPORATION D/B/A MEADOWLINK FOR THE INSTITUTION OF A TRANSPORTATION PROGRAM KNOWN AS "COMMUNITY CARS PROGRAM"

WHEREAS, the Director of Community Services & Recreation and the Transportation Advisory Committee have recommended the execution of a contract to provide for a volunteer transportation program to enhance the program currently operated through that department; and

WHEREAS, Meadowlands Transportation Brokerage Corporation d/b/a Meadowlink, a non-profit corporation, has provided such services in municipalities in Bergen County at no cost to the respective municipality; and

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WHEREAS, Meadowlink has prepared an agreement which outlines the specifics of the program and the Director of Community Services & Recreation recommends that said agreement be executed.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford, County of Passaic and State of New Jersey that the Mayor and the Municipal Clerk are hereby authorized to execute an agreement with Meadowlands Transportation Brokerage Corporation d/b/a Meadowlink for the operation of a volunteer based transportation program to complement the transportation services that are available to West Milford residents; and

BE IT FURTHER RESOLVED, that Council's authorization is contingent on the terms of the agreement being approved by both the Township Attorney and the Risk Manager who are authorized to negotiate any changes necessary to protect the Township's interests prior to the Mayor's execution of said agreement.

Adopted: March 16, 2011

Agenda No. VII 10

~ Resolution No. 2011- 105 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO JOSHUA D. MACKOFF, LLC FOR APPRAISAL SERVICES ASSOCIATED WITH THE RANDOM WOODS PROPERTY BLOCK 8001 LOT 1 IN AN AMOUNT NOT TO EXCEED \$2,500.00

WHEREAS, there exists a need for the Township to retain the services of an experienced, qualified entity or agency to provide a Self Contained Appraisal Report in compliance with NJDEP Green Acres standards for property previously purchased by the Township known as Random Woods property, Ridge Road, Block 8001, Lot 1, a partial taking of a portion of 93.995 acres from a tract that is assumed to be 98.9955 acres in total area; and

WHEREAS, as a result, the Township received a proposal from Joshua D. Mackoff, LLC dated February 4, 2011; and

WHEREAS, the Township wishes to award a contract without competitive bidding to Joshua D. Mackoff, LLC for the performance of such services; and

WHEREAS, the total amount of the contract shall not exceed \$2,500.00; and

WHEREAS, in the event additional services are required to be provided which exceed the total amount of this contract, a Resolution authorizing an amendment to this contract to increase the compensation limitations must be adopted; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for same, said funds to be encumbered from account number T-14-56-850-000.

WHEREAS, pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-3, when the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total sum of \$17,500, the contract may be awarded by the contracting unit without public advertising for bids; and

WHEREAS, Joshua D. Mackoff, LLC has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit Joshua D. Mackoff, LLC from making any reportable contributions through the term of the contract, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bid and the contract itself must be made available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey as follows:

- 1) The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Joshua D. Mackoff, LLC with offices located at 22 Laura Lane, Morristown, N.J. 07960 for appraisal services to perform a Complete Self

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- Contained Appraisal of the aforementioned property, in compliance with Green Acres appraisal standards considering both a current "as is" value as well as a hypothetical value which will view the property under zoning and environmental regulations as of the current date, in an amount not to exceed \$2,500.00,
- 2) This contract is awarded without competitive bidding as the total price of the contract shall not exceed the \$17,500 bid threshold in accordance with the provisions of the Local Public Contracts Law, specifically N.J.S.A. 40A:11-3.
 - 3) The total fee for this contract shall not exceed \$2,500.00 without adoption of an authorizing Resolution by the Township Council.
 - 4) The Political Contribution Disclosure Form, Business Disclosure Entity Certification and the Determination of Value shall be placed on file in the Clerk's Office.
 - 5) Notice of this action shall be published once in the Township's official newspaper as required by law.

A copy of this resolution shall be provided to Joshua D. Mackoff, LLC with offices located at 22 Laura Lane, Morristown, N.J. 07960 for their information and guidance.

Adopted: March 16, 2011

Agenda No. VII 11

~ Resolution No. 2011- 106 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO LANDMARK APPRAISAL, LLC FOR APPRAISAL SERVICES ASSOCIATED WITH THE RANDOM WOOD PROPERTY BLOCK 8001 LOT 1 IN AN AMOUNT NOT TO EXCEED \$2,500.00

WHEREAS, there exists a need for the Township to retain the services of an experienced, qualified entity or agency to provide a Self Contained Appraisal Report in compliance with NJDEP Green Acres standards for property previously purchased by the Township known as Random Woods property, Ridge Road, Block 8001, Lot 1, a partial taking of a portion of 93.995 acres from a tract that is assumed to be 98.9955 acres in total area; and

WHEREAS, as a result, the Township received a proposal from Landmark Appraisal, LLC dated February 8, 2011; and

WHEREAS, the Township wishes to award a contract without competitive bidding to Landmark Appraisal, LLC for the performance of such services; and

WHEREAS, the total amount of the contract shall not exceed \$3,150.00; and

WHEREAS, in the event additional services are required to be provided which exceed the total amount of this contract, a Resolution authorizing an amendment to this contract to increase the compensation limitations must be adopted; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for same, said funds to be encumbered from account number T-14-56-850-000.

WHEREAS, pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-3, when the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total sum of \$17,500, the contract may be awarded by the contracting unit without public advertising for bids; and

WHEREAS, Landmark Appraisal, LLC has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit Landmark Appraisal, LLC from making any reportable contributions through the term of the contract, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bid and the contract itself must be made available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey as follows:

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- 1) The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Landmark Appraisal, LLC with offices located at 555 East Main Street, P.O. Box 121, Chester, N.J. 07930 for appraisal services to perform a Complete Self Contained Appraisal of the aforementioned property, in compliance with Green Acres appraisal standards considering both a current "as is" value as well as a hypothetical value which will view the property under zoning and environmental regulations as of the current date, in an amount not to exceed \$3,150.00,
- 2) This contract is awarded without competitive bidding as the total price of the contract shall not exceed the \$17,500 bid threshold in accordance with the provisions of the Local Public Contracts Law, specifically N.J.S.A. 40A:11-3.
- 3) The total fee for this contract shall not exceed \$3,150.00 without adoption of an authorizing Resolution by the Township Council.
- 4) The Political Contribution Disclosure Form, Business Disclosure Entity Certification and the Determination of Value shall be placed on file in the Clerk's Office.
- 5) Notice of this action shall be published once in the Township's official newspaper as required by law.
- 6) A copy of this resolution shall be provided to Landmark Appraisal, LLC with offices located at 555 East Main Street, P.O. Box 121, Chester, N.J. 07930 for their information and guidance.

Adopted: March 16, 2011

Agenda No. VII 12

~ Resolution No. 2011- 107 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO INTEGRA REALTY SOURCES FOR APPRAISAL SERVICES ASSOCIATED WITH THE PURCHASE OF NJDEP GREEN ACRES PROJECT # 1615-02-017 APPLE ACRES - APPLE VALLEY ESTATES BLOCK 9901 LOTS 10, 11 & 12 IN AN AMOUNT NOT TO EXCEED \$3,500.00

WHEREAS, there exists a need for the Township to retain the services of an experienced, qualified entity or agency to provide a Self Contained Appraisal Report in compliance with NJDEP Green Acres standards for the purchase of Block 9901 Lots 10, 11, 12 a.k.a. Apple Valley Estates under Green Acres Project # 1615-02-017, Project Name Apple Acres; and

WHEREAS, as a result, the Township received a proposal from Integra Realty Resources dated January 27, 2011; and

WHEREAS, the Township wishes to award a contract without competitive bidding to Integra Realty Resources for the performance of such services; and

WHEREAS, the total amount of the contract shall not exceed \$3,500.00; and

WHEREAS, in the event additional services are required to be provided which exceed the total amount of this contract, a Resolution authorizing an amendment to this contract to increase the compensation limitations must be adopted; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for same, said funds to be encumbered from account number T-14-56-850-000.

WHEREAS, pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-3, when the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total sum of \$17,500, the contract may be awarded by the contracting unit without public advertising for bids; and

WHEREAS, Integra Realty Resources has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit Integra Realty Resources from making any reportable contributions through the term of the contract, and

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WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bid and the contract itself must be made available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey as follows:

- 1) The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Integra Realty Resources with offices located at 110 S. Jefferson Road, 2nd Floor, Whippany, NJ 07981-1038 for appraisal services to perform a Complete Self Contained Appraisal of the aforementioned property, in compliance with Green Acres procedural guidelines, in an amount not to exceed \$3,500.00, unless additional services are required to be provided which exceed the total amount of this contract, in which case a Resolution authorizing an amendment to this contract to increase the compensation limitations must be adopted.
- 2) This contract is awarded without competitive bidding as the total price of the contract shall not exceed the \$17,500 bid threshold in accordance with the provisions of the Local Public Contracts Law, specifically N.J.S.A. 40A:11-3.
- 3) The total fee for this contract shall not exceed \$3,500.00 without adoption of an authorizing Resolution by the Township Council.
- 4) The Political Contribution Disclosure Form, Business Disclosure Entity Certification and the Determination of Value shall be placed on file in the Clerk's Office.
- 5) Notice of this action shall be published once in the Township's official newspaper as required by law.

A copy of this resolution shall be provided to Integra Realty Resources, 110 S. Jefferson Road, 2nd Floor, Whippany, NJ 07981-1038 for their information and guidance.

Adopted: March 16, 2011

The Council engaged in discussion to delete the words Kerry Greene property from resolution.

Agenda No. VII 13

~ Resolution No. 2011- 108 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO SCOTT J. HOLZHAUER, CTA, SCGREA FOR APPRAISAL SERVICES ASSOCIATED WITH THE PURCHASE OF NJDEP GREEN ACRES PROJECT # 1615-02-017 APPLE ACRES - APPLE VALLEY ESTATES BLOCK 9901 LOTS 10, 11 & 12 IN AN AMOUNT NOT TO EXCEED \$3,900.00

WHEREAS, there exists a need for the Township to retain the services of an experienced, qualified entity or agency to provide a Self Contained Appraisal Report in compliance with NJDEP Green Acres standards for the purchase of Block 9901 Lots 10, 11, 12 a.k.a. Apple Valley Estates under Green Acres Project # 1615-02-017, Project Name Apple Acres; and

WHEREAS, as a result, the Township received a proposal from Scott J. Holzhauer, CTA, SCGREA dated February 8, 2011; and

WHEREAS, the Township wishes to award a contract without competitive bidding to Scott J. Holzhauer for the performance of such services; and

WHEREAS, the total amount of the contract shall not exceed \$3,900.00; and

WHEREAS, in the event additional services are required to be provided which exceed the total amount of this contract, a Resolution authorizing an amendment to this contract to increase the compensation limitations must be adopted; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for same, said funds to be encumbered from account number T-14-56-850-000.

WHEREAS, pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-3, when the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total sum of \$17,500, the contract may be awarded by the contracting unit without public advertising for bids; and

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WHEREAS, Scott J. Holzhauer, CTA, SCGREA has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit Scott J. Holzhauer from making any reportable contributions through the term of the contract, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bid and the contract itself must be made available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey as follows:

- 1) The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Scott J. Holzhauer, CTA, SCGREA with offices located at P.O. Box 513, Tranquility, N.J. 07879 for appraisal services to perform a Complete Self Contained Appraisal of the aforementioned property, in compliance with Green Acres procedural guidelines, in an amount not to exceed \$3,900.00, unless additional services are required to be provided which exceed the total amount of this contract, in which case a Resolution authorizing an amendment to this contract to increase the compensation limitations must be adopted.
- 2) This contract is awarded without competitive bidding as the total price of the contract shall not exceed the \$17,500 bid threshold in accordance with the provisions of the Local Public Contracts Law, specifically N.J.S.A. 40A:11-3.
- 3) The total fee for this contract shall not exceed \$3,900.00 without adoption of an authorizing Resolution by the Township Council.
- 4) The Political Contribution Disclosure Form, Business Disclosure Entity Certification and the Determination of Value shall be placed on file in the Clerk's Office.
5. Notice of this action shall be published once in the Township's official newspaper as required by law.

A copy of this resolution shall be provided to Scott J. Holzhauer, CTA, SCGREA with offices located at P.O. Box 513, Tranquility, N.J. 07879 for their information and guidance.

Adopted: March 16, 2011

Agenda No. VII 14

~ Resolution No. 2011- 109 ~

NUMBER NOT USED

Agenda No. VII 15

~ Resolution No. 2011- 110 ~

NUMBER NOT USED

Agenda No. VII 16

~ Resolution No. 2011- 111 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF GASOLINE THROUGH THE 2011 MORRIS COUNTY COOPERATIVE PURCHASING COUNCIL CONTRACT #1 MOTOR GASOLINE, TO ALLIED OIL, LLC.

WHEREAS, the Township of West Milford is a member of the Morris County Cooperative Purchasing Council (State ID # 6-MoCCP); and

WHEREAS, the Morris County Cooperative Purchasing Council has awarded Contract #1, Motor Gasoline, for the 2011-2012 years to Allied Oil, LLC, and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Township of West Milford anticipates a need for Motor Gasoline in 2011; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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WHEREAS, Gerald Storms, CPWM, Director of Public Works has reviewed the Morris County Cooperative Purchasing Council's contract and related specifications and submitted a written recommendation that the Township of West Milford purchase gasoline through the Morris County Cooperative Purchasing Council, Contract, Gasoline in an amount not to exceed \$220,000; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account number 1-01-31-460-315.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, the following:

1. The Township Council hereby authorizes Gerald Storms, CPWM, Director of Public Works and the Chief Financial Officer to purchase Gasoline, in an amount not to exceed \$220,000, through the Morris County Cooperative Purchasing Council, Contract #1, for Motor Gasoline awarded to Allied Oil, LLC
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: March 16, 2011

Agenda No. VII 17

~ Resolution No. 2011- 112 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF PAVING MATERIALS THROUGH THE MORRIS COUNTY COOPERATIVE PURCHASING COUNCIL, CONTRACT #5, DISTRICT #2, PAVING MATERIALS TO TILCON NEW YORK, INC.

WHEREAS, the Township of West Milford is a member of the Morris County Cooperative Purchasing Council (State ID # 6-MCCOOP); and

WHEREAS, the Morris County Cooperative Purchasing Council has awarded Contract #5, Paving Materials, for District #2, for the 2011 year to Tilcon New York, Inc. and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Township of West Milford anticipates a need for Paving Materials in 2011; and

WHEREAS, the Township Engineer has reviewed the Morris County Cooperative Purchasing Council's contract and related specifications and has submitted a written recommendation that the Township of West Milford purchase paving materials through the Morris County Cooperative Purchasing Council, Contract #5, Paving Materials in an amount not to exceed \$85,000; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account number 1-01-26-290-315.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, the following:

1. The Township Council hereby authorizes the Township Engineer to purchase Paving Materials, in an amount not to exceed \$85,000, through the Morris County Cooperative Purchasing Council, contract #5, Paving Materials awarded to Tilcon New York, Inc.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: March 16, 2011

Agenda No. VII 18

~ Resolution No. 2011- 113 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC COUNTY, STATE OF NEW JERSEY AWARDED A CONTRACT TO RECREATIONAL CONCEPTS LLC FOR FOOD CONCESSIONS AT BUBBLING SPRINGS

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on January 31, 2011 at 10:00 a.m. for Food Concessions At Bubbling Springs as per the Bid Specifications; and

WHEREAS, the Township of West Milford received one (1) bid for this contract; and

WHEREAS, said bid has been duly reviewed and analyzed by the Director of Community Services and Recreation; and

WHEREAS, the bid received from Recreational Concepts LLC has been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written; and

WHEREAS, the Director of Community Services and Recreation has submitted a written recommendation for the award of this contract to Recreational Concepts LLC; and

WHEREAS, the Township of West Milford will receive revenue from the award of a contract to Recreational Concepts LLC for the management and operation of the Bubbling Springs Food Concession in the amount of \$2,675.00;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, the following:

1. The Township Council hereby awards a contract to Recreational Concepts LLC, Terri Leonardo, Owner, 147 Merriam Avenue, Newton, New Jersey 07860 for the management and operation of the Bubbling Springs Food Concession as per the Bid Specifications
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Recreational Concepts LLC, in accordance with its bid for said management and operation of the Bubbling Springs Food Concession.
3. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: March 16, 2011

Agenda No. VII 19

~ Resolution No. 2011- 114 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC COUNTY,
NEW JERSEY AWARDING A CONTRACT TO D'ONOFRIO & SON, INC. LANDSCAPING FOR THE
MAINTENANCE OF BALLFIELDS AND OTHER SITES, SCHEDULE A**

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on January 4, 2011 at 10:15 a.m. for maintenance of ball fields and other sites as per the Bid Specifications; and

WHEREAS, the Township of West Milford received four (4) bids for this contract; and

WHEREAS, said bids have been duly reviewed and analyzed by the Director of Community Services and Recreation and the Township Attorney; and

WHEREAS, the bid received from the low bidder for Schedule A of this contract, D'Onofrio & Son, Inc. Landscaping, has been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written; and

WHEREAS, the Chief Financial Officer has certified that encumbrances for these services shall come from account number 1-01-28-375-450.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, the following:

1. The Township Council hereby awards a contract to D'Onofrio & Son, Inc. Landscaping, 47 Van Ness Terrace, Maplewood, NJ 07040 for Maintenance of Ballfields and Other Sites, Schedule A Minor in an amount not to exceed \$6,200 for one year.
2. The Mayor and Township Clerk be and are hereby authorized and directed to execute a contract with D'Onofrio & Son, Inc. Landscaping in accordance with its bid for said maintenance of ball fields and other sites, schedule A minor, in the Township of West Milford.
3. The Township's Chief Financial Officer has certified the availability of funds for same.

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4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: March 16, 2011

Agenda No. VII 20

~ Resolution No. 2011- 115 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC COUNTY, NEW JERSEY AWARDED A CONTRACT TO PAT SCANLAN LANDSCAPING, INC. FOR THE MAINTENANCE OF BALLFIELDS AND OTHER SITES, SCHEDULE B

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on January 15, 2010 at 10:00 a.m. for maintenance of ball fields and other sites as per the Bid Specifications; and

WHEREAS, the Township of West Milford received six (6) bids for this contract; and

WHEREAS, said bids have been duly reviewed and analyzed by the Director of Community Services and Recreation and the Township Attorney; and

WHEREAS, the bid received from the low bidder for Schedule B of this contract, Pat Scanlan Landscaping, Inc., has been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written; and

WHEREAS, the Chief Financial Officer has certified that encumbrances for these services shall come from account number 1-01-28-375-352.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, the following:

- 1) The Township Council hereby awards a contract to Pat Scanlan Landscaping, Inc., PO Box 1136, 14 Plains Drive, New City, NY 10956 for Maintenance of Ballfields and Other Sites, Schedule B Bulk in an amount not to exceed \$36,165 for one year.
- 2) The Mayor and Township Clerk be and are hereby authorized and directed to execute a contract with Pat Scanlan Landscaping, Inc. in accordance with its bid for said maintenance of ball fields and other sites, Schedule B Bulk, in the Township of West Milford.
- 3) The Township's Chief Financial Officer has certified the availability of funds for same.
- 4) This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: March 16, 2011

Agenda No. VII 21

~ Resolution No. 2011- 116 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EMPLOYMENT OF MONICA GOSCICKI AS THE TEMPORARY INTERIM CHIEF FINANCIAL OFFICER FOR A TERM TO EXPIRE ON APRIL 30, 2011 OR UNTIL A PERMANENT APPOINTMENT IS MADE, WHICHEVER IS SOONER

WHEREAS, the Township CFO retired on June 30, 2010; and

WHEREAS, the Township is desirous of appointing a temporary interim Township Chief Financial Officer without any rights of holdover to assist the Township while the Township continues to negotiate employment terms for a Township Chief Financial Officer; and

WHEREAS, the Township Administrator hereby recommends the appointment of Monica Goscicki as the temporary interim Chief Financial Officer for the Township of West Milford for a term to expire on April 30, 2011 or until a permanent appointment is made, whichever comes first, and without any rights of holdover; and

WHEREAS, the Mayor hereby appoints of Monica Goscicki as the temporary interim Chief Financial Officer for the Township of West Milford for a term to expire on April 30, 2011 or until a permanent appointment is made, whichever comes first, and without any rights of holdover in accordance

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with the recommendation of the Township Administrator and contingent upon the advise and consent of the Township Council.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the Township hereby appoints Monica Goscicki as the Township's temporary interim Chief Financial Officer without any rights of holdover for a term to expire on April 30, 2011 or until a permanent appointment is made, whichever comes first, at an hourly rate of \$55 per hour and in an amount not to exceed \$3,500.00; and

BE IT FURTHER RESOLVED that notice of this action shall be published once in the Township's official newspaper as required by law.

This Resolution shall take effect immediately.

Adopted: March 16, 2011

Agenda No. VII 22

~ Resolution No. 2011- 117 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING THE 2010 CONTRACT WITH THOMAS GILMARTIN FOR THE PROVISION OF REGISTERED ENVIRONMENTAL HEALTH SERVICES (REHS) TO ALLOW FOR A PAYMENT OF \$500 IN EXCESS OF THE PRE-APPROVED NOT TO EXCEED AMOUNT

WHEREAS, by virtue of Resolution 2010-220 adopted on June 16, 2010 the Township Council did authorize the engagement of REHS services to be provided by Thomas Gilmartin; and

WHEREAS, resolution 2010-220 and the related contract did authorize services in an amount not to exceed \$16,875; and

WHEREAS, the Township Administrator has advised that the Township's needs related to this contract caused the provider to exceed the authorized contractual amount by \$500; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose said funds to be encumbered from account number 0-01-27-335-480.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that they do hereby authorize the Township Administrator to approve payment of \$500 to Thomas Gilmartin for REHS services provided in the 2010 calendar year which amount is in excess of the initially approved contract amount; and

BE IT FURTHER RESOLVED that notice of this action shall be published once in the Township's official newspaper as required by law.

This Resolution shall take effect immediately.

Adopted: March 16, 2011

Agenda No. VII 23

~ Resolution No. 2011- 118 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SUBMITTAL AND ACCEPTANCE OF A NEW JERSEY HEALTH OFFICERS ASSOCIATION (NJHOA) MINI-GRANT APPLICATION

WHEREAS, the new Jersey Health Officers Association is providing municipalities an opportunity to apply for mini grants to purchase emergency notification systems (ENS); and

WHEREAS, the Township of West Milford has a need for ENS.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that they do hereby authorize the West Milford Health Officer to apply for a grant through the New Jersey health Officers Association for the purchase and/or upgrade of public emergency notification systems throughout the Township; and

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BE IT FURTHER RESOLVED that if the grant application is favorably received, the Health Officer be and is hereby authorized to accept and administer said grant.

Adopted: March 16, 2011

Agenda No. VII 24

~ Resolution No. 2011- 119 ~

AMENDED

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING ISSUANCE OF A RECREATION GROUP USE PERMIT (BROWN'S POINT - LAKE HOPATCONG RACING ASSOCIATION)

WHEREAS, the Township's Director of Community Services & Recreation has received a request for the use of Brown's Point for May 12, 2011 through May 16, 2011 for Powerboat Races sponsored by the Lake Hopatcong Racing Association; and

WHEREAS, this event is of an extraordinary nature requiring the approval of the Township Council of the Township of West Milford; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford that based upon the review of the application and the report of the Director of Community Service & Recreation, it does hereby approve of the issuance of a Group Use Permit to the Lake Hopatcong Racing Association (LHRA) with conditions as follows:

1. LHRA shall arrange for portable toilets to be located on the site convenient to the food employees, and shall see that all portable toilets are emptied at the end of the events. The required number of toilets is based on the number of persons attending the event in accordance to Building Department regulations.
2. Each food vendor must apply for a temporary retail food establishment license at least two weeks before the event, and solid waste containers must be provided in the food service area in accordance with Township Health Department guidelines. LHRA shall arrange for a 20 yard dumpster and solid waste containers to be located on the site in accordance with the Health Officer's recommendation. The dumpster and containers must be removed no later than the morning of the Tuesday immediately after the event.
3. LHRA shall agree to pay for any extraordinary expenses incurred by the Township including but not limited to the cost to provide services from the Department of Community Services & Recreation, the Department of Public Works, the Health Department or the Police Department including related personnel costs.
4. LHRA shall issue a notice no later than May 2, 2011 to residents in the vicinity of the event site which will include a description of activities and the times of those events scheduled for May 12, 2011 through May 16, 2011.
5. LHRA shall arrange with the West Milford Chief of Police or his designee no later than May 2, 2011 for a system of traffic control, security and crowd control for the May 12, 2011 through May 16, 2011 events in accordance with the recommendation of the Chief Of Police as follows:
 - a) Officers/Specials:
 1. Two Special Police Officers for traffic/pedestrian control;
 2. One armed Special (or Police Officer if Class II Special is not available) for entrance gate;
 3. Three Special Officers for inside event perimeter;
 4. Three Police Officers for inside event perimeters (possible one additional officer dependent on crowd);
 5. One supervisory Police (Sgt or Lt) for command Post;
 6. One half projected cost of officers (\$5,000.00) to be deposited with the Police Department at least seven business days prior to the event and held in a Police escrow account, with the remainder of cost to be due and payable within two weeks following the event.
 - b) Particulars:
 1. Space to set up Command Trailer (predetermined by Police Dept);
 2. LHRA shall arrange with Robert Coyman, property owner, for additional parking with his approval, and shall provide to the property owner(s) an Insurance Certificate with the property owners' named as an additionally insured party in the amount of \$1,000,000.00 umbrella (\$500,000.00 property damage and \$1,000,000.00 personal injury.)

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3. Signage must be posted indicating "Parking at Jungle Habitat". Buses transporting people from Jungle Habitat are to use Robert Coyman's property for discharge/pick-up of riders.
4. Beer Garden to be cordoned off (double fence or solid barrier) from main event with only one entrance/exit from Beer Garden with volunteer to check ID's;
5. Ambulances, cones and barricades from the DPW (for traffic), assistance with Auxiliary Coast Guard or marine patrol are to be arranged by the Lake Hopatcong Racing Association by May 2, 2011.
6. LHRA shall apply for permits for cooking tents from the State Fire Marshal's Office (609-633-6106) prior to May 2, 2011.
7. All fencing must be taken down no later than the Tuesday afternoon immediately after the event, and returned to the Department of Community Services & Recreation in accordance with the protocols established by the Director of Community Services & Recreation. All cones and barricades must be returned to the DPW no later than the Tuesday afternoon immediately after the event.
8. LHRA shall provide to the Township an Insurance Certificate naming the Township of West Milford and the State of New Jersey, Department of Environmental Protection as an additional insured party in the amount of \$1,000,000.00 umbrella (\$500,000.00 property damage and \$1,000,000.00 personal injury.)

Adopted: March 16, 2011

Discussion: The Council discussed and agreed to remove the paragraph that referenced a report read by Council.

Agenda No. VII 25

~ Resolution No. 2011- 120 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF INACTIVE PLENARY RETAIL CONSUMPTION LICENSE NO 1615-33-011-003 PETER W. ANOLL FOR THE 2010 - 2011 LICENSE YEAR WITH CONDITIONS

WHEREAS, an application for renewal of Plenary Retail Consumption License No. 1615-33-011-003 Peter W. Anoll for the 2010 - 2011 License year has been received and reviewed; and

WHEREAS, the Mayor and Township Council has conducted a public review of the application as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control dated April 14, 1980; and

WHEREAS, as a result of that review the Township Council has determined as follows:

- 1) The submitted application is complete in all respects.
- 2) The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
- 3) The applicant has disclosed to the issuing authority the source of all additional financing obtained in the previous license year (July 1, 2009 - June 30, 2010).
- 4) The applicant has received a Special Ruling from the Director of the NJ Division of Alcoholic Beverage Control.
- 5) Recommendations have been received in the Office of the Township Clerk from all applicable departments, with conditions.

NOW, THEREFORE, BE IT RESOLVED that the Township Clerk is directed to issue and hold the license certificate for the Mayor and Township Council of the Township of West Milford with conditions as follows:

LICENSE/LICENSEE/T/A	CONDITIONS
PETER W. ANOLL 322 Lakeside Road Hewitt, NJ 07421 1615-33-011-003	Premise must be inspected and approved by the Police Department prior to opening and activation of the license. Licensee must apply for and receive a Food Handler License, and premise must be inspected and approved by the Health Department prior to opening and activation of the license. Premise must be inspected and approved by the Fire Marshall prior to opening and activation of the license. Licensee must submit applicable pages of 12 page application for activation to the Township Clerk within ten days prior or following opening premises. Licensee must file a 12.39 Petition with the Director of the NJ

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LICENSE/LICENSEE/T/A	CONDITIONS
	ABC for license renewals until premise is opened and license activated.

Adopted: March 16, 2011

Agenda No. VII 26

~ Resolution No. 2011- 121 ~

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING RELEASE OF LANDSCAPE AND MONUMENT CASH BONDS TO ALICE ZAMPELLA, BROOKSIDE DEVELOPMENT LLC

WHEREAS, in 2004 Alice Zampella posted a landscape bond for shade trees in the amount of \$5,000.00 cash and a monument bond in the amount of \$15,000.00 cash for the Brookside Development LLC; and

WHEREAS, the Township Clerk’s Office has received a request from the Attorney for Alice Zampella for the release of both cash bonds; and

WHEREAS, the Township Engineer has submitted a recommendation for the release of both Cash Bonds since the original subdivision was never perfected, minor subdivisions do not require the setting of monuments, tree planting requirements were not established by the Board, and the property for which the bonds were posted has been sold.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of West Milford hereby authorizes the release of two cash Bonds in the amounts of \$15,000.00 and \$5,000.00 posted by Alice Zampella for Brookside Development LLC on September 27, 2004, as evidenced by the recommendation of Paul W. Ferriero, Interim Township Engineer dated December 23, 2010.

BE IT FURTHER RESOLVED, that the appropriate Township officials be and they are hereby authorized to execute such documents and take such steps necessary to effectuate the terms of this resolution, and forward a check made to Alice Zampella in the total amount of \$20,000.00 to Attorney Paul W. Ross, Esq., 52 Street, Hackensack, New Jersey 07601.

Adopted: March 16, 2011

Consent Agenda

Agenda No. VIII

~ Resolution No. 2011- 122 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PASSAGE OF CONSENT AGENDA

WHEREAS, the Mayor and Township Council of the Township of West Milford has reviewed the Consent Agenda consisting of various proposed Resolutions and Applications.

NOW, THEREFORE, BE IT RESOLVED, that the following Resolutions and Applications on the Consent Agenda are hereby approved:

Resolutions:

- a. 2011 – 123 – Cancel Taxes
- b. 2011 – 124 – Refund Overpayments
- c. 2011 – 125 – Refund MUA Overpayments
- d. 2011 – 126 – Refund Escrow Monies
- e. 2011 – 127 – Refund Health Department Fees
- f. 2011 – 128 – Refund Other Liens
- g. 2011 – 129 – Refund Recreation Fees
- h. 2011 – 130 – Reinstate Taxes
- i. 2011 – 131 – Issue Various 2011 Licenses

Applications:

- a. Application for On Premise 50/50 Raffle License No. RL2011-10 by the West Milford Education Foundation for May 5, 2011.

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Moved: Smolinski Seconded: Rosone
 Voted Aye: Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.
 Voted Nay: None.
 Abstain: None.
 Motion carried.

The following resolutions were included in the consent agenda:

Agenda No. VIII a

~ Resolution No. 2011- 123 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING CANCELLATION OF TAX

WHEREAS, there appears on the tax records balances as listed below; and

WHEREAS, the Collector of Taxes recommends the cancellation of taxes due to reasons listed below.

NOW, THEREFORE, BE IT RESOLVED that the proper officers be and they are hereby authorized and directed to cancel as hereafter listed below:

REASON: 1) 100% DISABLED VETERAN

BLOCK/LOT	NAME	AMOUNT	YEAR
2410-6	Martin G. Oliver Sr.	\$5,243.07	2010 Full Year
11302-13	Margaret Menier	\$3,157.97	2010 Full Year
5317-3.12	John & Miriam Miller	\$428.42	2010 4 th Qtr.
TOTAL		\$8,829.46	

Adopted: March 16, 2011

Agenda No. VIII b

~ Resolution No. 2011- 124 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF OVERPAYMENTS

WHEREAS, there appears on the tax records overpayments as shown below; and

WHEREAS, the overpayments were created by reasons stated below and the Collector of Taxes recommends the refund of such overpayments.

NOW, THEREFORE, BE IT RESOLVED that the proper officers be and they are hereby authorized and directed to issue checks refunding such overpayments as shown below:

REASONS:

- | | |
|-------------------------------------|--------------------------|
| 1. Incorrect Payment | 4. Homestead Rebate |
| 2. Duplicate Payment | 5. Tax Appeal |
| 3. Senior Citizen/Veteran Deduction | 6. 100% Disabled Veteran |

Block/Lot	Name	Amount	Year	Reason
303-8	Lawrence & Donna Jacobs 40 Brook Road Hewitt, NJ 07421	\$1,831.00	2011	2
901-2	Attn: Refund Department CoreLogic R.E. Tax Service P.O. Box 961250 Fort Worth, TX 76161-9887	\$1,763.00	2011	2
1101-11.02	Donald Keeler	\$1,711.00	2011	1

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Block/Lot	Name	Amount	Year	Reason
	723 Warwick Turnpike Hewitt, NJ 07421			
1812-9	Ken Cantara & Theresa Reilly 20 Delaware Road Hewitt, NJ 07421	\$1,800.00	2011	2
2415-1	Jason Post & Jodi Esola 42 Eatontown Road Hewitt, NJ 07421	\$1,901.00	2011	2
3610-3	Attn: Refund Department CoreLogic R.E. Tax Service P.O. Box 961250 Fort Worth, TX 76161-9887	\$961.00	2011	1
4901-31	Peter & Lorraine Schaefers 158 Kitchell Lake Drive E. West Milford, NJ 07480	\$3,557.00	2011	2
5201-15	Gary & Simona Dan 144 Ridge Road West Milford, NJ 07480	\$3,461.00	2011	2
5316-1.22	John Bilinski 9122 Richmond Road West Milford, NJ 07480	\$786.00	2011	2
5317-3.12	John & Miriam Miller 6312 Richmond Road West Milford, NJ 07480	\$428.42	2011	6
7614-2	Paul & Dana Whitney 13 Arcata Lane West Milford, NJ 07480	\$2,428.00	2011	2
9704-1	West Milford MUA 179 Cahill Cross Road Ste. 202 West Milford, NJ 07480	\$300.00	2011	1
9801-27.01	Attn: Refund Department CoreLogic R.E. Tax Service P.O. Box 961250 Fort Worth, TX 76161-9887	\$1,604.00	2011	2
10102-34	Sunil & Savitri Chopra 112 Gould Road Newfoundland, NJ 07435	\$2,503.00	2011	2
10503-14	Dennis & Deborah Maas 113 Schofield Road West Milford, NJ 07480	\$2,621.00	2011	2
10812-3	Michele & Anita Ambrosio 14 Shale Drive West Milford, NJ 07480	\$2,133.00	2011	2
12304-18	Carla N. Buchalter, P.C. Attorney at Law 520 Lotus Road Ridgewood, NJ 07450	\$1,450.00	2011	2
12901-70	Jeffrey & Paula Stern 215 High Crest Drive West Milford, NJ 07480	\$3,711.00	2011	2
15502-29	Theodore & Angela Adragna 86 Circle Blvd. S. Newfoundland, NJ 07435	\$1,776.00	2011	2
16605-6	Joseph & Patricia Lamendola 27 Newland Drive Oak Ridge, NJ 07438	\$2,977.00	2011	2
2410-6	Martin G. Oliver, Sr. 48 Dunham Road Hewitt, NJ 07421	\$5,243.07	2011	6
11302-13	Margaret Menier 494 Otterhole Road West Milford, NJ 07480	\$3,157.97	2011	6
TOTAL		\$48,103.46		

Adopted: March 16, 2011

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Agenda No. VIII c

~ Resolution No. 2011- 125 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF OVERPAYMENTS

WHEREAS, there appears on the tax records overpayments as shown below; and

WHEREAS, the overpayments were created by reasons stated below and the Collector of Taxes recommends the refund of such overpayments.

NOW, THEREFORE, BE IT RESOLVED that the proper officers be and they are hereby authorized and directed to issue checks refunding such overpayments as shown below:

REASONS: MUA Money Collected Prior to Tax Sale

REFUND TO: West Milford Municipal Utilities Authority
 179 Cahill Cross Road
 West Milford, NJ 07480

Block/Lot	Name	Amount	Year
8601-23	West Milford MUA	\$372.66	2010
8701-2	West Milford MUA	\$7.26	2010
9406-6	West Milford MUA	\$5.23	2010
9706-9	West Milford MUA	\$300.10	2010
8602-1	West Milford MUA	\$5.80	2010
TOTAL		\$691.05	

Adopted: March 16, 2011

Agenda No. VIII d

~ Resolution No. 2011- 126 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF ESCROW MONIES

BE IT RESOLVED, by the Township Council of the Township of West Milford that, based upon the report and request of the Township's Land Use Administrator, the following Escrow monies be refunded:

Name & Address	Application No.	Amount of Escrow	Amount Refunded
Upper Greenwood Lake Property Owners Association P.O. Box 457 Hewitt, NJ 07421	0740-0775	\$4373.40	\$3474.71
TOTAL REFUND			\$3474.71

Adopted: March 16, 2011

Agenda No. VIII e

~ Resolution No. 2011- 127 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PARTIAL REFUND OF A HEALTH DEPARTMENT DOG LICENSE FEE

BE IT RESOLVED, by the Township Council of the Township of West Milford that, upon the report and request of the Animal Control Officer, the following dog license fee be partially refunded, excepting the State fee of \$1.20 which has been submitted to the state:

Applicant	Amount Paid	Amount of Refund
Irene Ferris 53 Osage Drive West Milford, NJ 07480	\$10.00	\$8.80

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Agenda No. VIII f

~ Resolution No. 2011- 128 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF OTHER LIENS

WHEREAS, the Collector of Taxes has reported receiving the amounts shown below for the redemption of the respective lien.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of West Milford that the proper officers be and are hereby authorized and directed to pay the indicated amount to the holder of the lien certificate as hereinafter shown below:

Certificate No	Certificate Date	Block/Lot/Qual	Reimburse Amt	Pay to the Lien Holder
09-085	03/25/2009	07801-031.01	\$3,501.51	US BANK CUST FOR CCTS CAPITAL LLC 2 LIBERTY PLACE 50 SOUTH 16 ST. STE 1950 PHILDELPHIA, PA 19102
10-086	03/23/2010	07801-043.02	\$574.67	MARCOS A. SUAREZ, JR 28 WINSLOW TERRACE FAIRLAWN, NJ 07410
Grand Total			\$4,076.18	

Adopted: March 16, 2011

Agenda No. VIII g

~ Resolution No. 2011- 129 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF RECREATION FEES

BE IT RESOLVED that the following Recreational fees upon the report of the Director of Community Services and Recreation be refunded:

PARTICIPANT	AMOUNT	MADE PAYABLE TO:
LACROSSE		
Zachary	\$100.00	Matthew Rich 37 Carriage Lane West Milford, NJ 07480

Adopted: March 16, 2011

Agenda No. VIII h

~ Resolution No. 2011- 130 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REINSTATEMENT OF TAXES

WHEREAS, there appears on the tax records receipt of payment of taxes; and

WHEREAS, the Collector of Taxes recommends the cancellation of receipt of, and reinstatement of taxes due to reasons stated below.

NOW, THEREFORE BE IT RESOLVED, that the proper officers be and they are hereby authorized and directed to reinstate as listed below:

REASON:

1. Insufficient Funds
2. Stop Payment

BLOCK/LOT	NAME	AMOUNT	YEAR	REASON
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2402-5	J. DeFrancesco	\$1,944.00	2011	2
5605-4	E. Jakubowski	\$1,996.00	2011	1
6303-5	J. Worth Realty, LLC	\$5,553.00	2011	1
7801-25.08	J. Marazo	\$1,788.00	2011	2
1207-3.03	S. Spencer	\$2,635.00	2011	1
12307-18	M. Buffalino	\$467.43	2011	1
TOTAL		\$14,383.43		

Adopted: March 16, 2011

Agenda No. VIII I

~ Resolution No. 2011- 131 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR LICENSE YEAR 2011

WHEREAS, applications have been made by licensees for the renewal of various Township Licenses and Permits for the year 2011; and

WHEREAS, reports of recommendation have been received from various Township Departments recommending the issuance of said license as listed below.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford does hereby approve the issuance of 2011 Licenses as listed below:

LIMOUSINE LICENSE AND LIMOUSINE DRIVER LICENSE		
Limousine License No.	Applicant Name	T/A - Address
2011 – 6	Douglas Townsend	Douglas Business Services 1873 Macopin Road West Milford, NJ 07480
Limousine Driver License No.	Applicant Name/Address	T/A
2011 - 5	Douglas Townsend 1873 Macopin Road West Milford, NJ 07480	Douglas Business Services

Adopted: March 16, 2011

Agenda No. IX

Approval of Expenditures

~ Resolution No. 2011- 132~

RESOLUTION APPROVING THE PAYMENT OF BILLS

WHEREAS, the Township Treasurer has submitted to the members of the Township Council a report listing individual disbursement checks prepared by his office in payment of amounts due by the Township.

NOW, THEREFORE, BE IT RESOLVED that the Township Treasurer's report of checks prepared by him be approved and issued as follows:

Acct #	Account Name	Amount
1	Current Account.	\$914,963.11
2	Reserve Account	32,098.84
3	Animal Control Trust	163.97
6	Capital.	6,176.25
7	Grants.	2,837.50
8	Refuse.	0.00
9	Refunds.	52,870.69
12	General Ledger.	0.00
16	Heritage Trust.	0.00
14	Open Space Trust	337.50
17	Trust	800.00
18	Development Escrow.	4,983.21
19	LOSAP	0.00

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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20	Special Reserve	0.00
Total		\$1,015,231.307
\$Less Refund Resolution		-52,870.69
Actual Bill List		\$962,360.38
Other Payments		
Total Expenditures		\$962,360.38

Approved: March 16, 2011

Moved: Ramaglia Seconded: Rosone
 Voted Aye: Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.
 Voted Nay: None.
 Abstain: Councilman Jurkovic abstained on the Glatt invoice only.
 Motion carried.

Agenda No. X

Reports of Mayor, Administrator, Council Members, Attorney and Clerk

Council President Smolinski asked residents to become aware of new program called Community Cars. He gave details advising that this program will complement our existing transportation program for senior citizens. He asked interested parties to call the Department of Community Services & Recreation. This is a great program to provide an alternate means of transportation for those who don't have cars.

Councilman Rosone stated that he attended the first ALF committee meeting and was very impressed. He expects it will be a great event again this year.

Councilman Signorino reminded everyone that the Heritage Committee will host its 19th annual tennis tournament on May 14th & 15th which is the same weekend as boat race. He sat in on the last EDC meeting and he commended them for doing a great job. He asked Councilman Ramaglia to follow up with the County about their failure to plow county roads on three occasions during this past winter. He advised that street sweeping has begun.

Council President Smolinski asked about the fields agreement. He asked the Mayor to sign it stating that the BOE needs it and Council did approve it and concluded the matter.

Mayor Bieri advised that the Highlands Council approved the Township's petition for plan conformance and asked Administrator Boyle if we are sending all bills for grant reimbursement to which Administrator Boyle replied in the affirmative. Mayor Bieri stated that there are benefits to plan conformance including grant initiatives and funding. The Township can appeal for tax stabilization and seek funding for aggregate losses. She asked the Administrator and Tax Assessor to look into that and provide an analysis noting that time is of the essence because funding will be limited. She advised that Passaic County introduced their budget on March 18th with a \$43.99 increase to the average household. She gave Administrator Boyle information on personnel management and is hoping to see a proposal soon. She stated that she had asked 7-8 years ago for the Council to adopt an ordinance banning political signs. The Township Attorney said at the time that it is illegal to do so. Other communities have been passing ordinances about the placement of political signs including our neighbor, Ringwood. Their ordinance limits signs to private property and the number allowed and setbacks. She asked that this be placed on a future workshop agenda for Council consideration. She asked Administrator Boyle to provide copies of Ringwood ordinance 2011-001 and Councilman Jurkovic asked that the Council also get a copy of West Milford's current ordinance. Councilman Signorino stated we have sign ordinances but there have been three places where the type of ordinance proposed by the Mayor have been disputed because they infringe on first right amendments to free speech. Mayor Bieri announced that the Passaic County Clerk's office will be here on April 13 for passport and notary renewals from 5-7 pm. She reminded residents that the Township is seeking 2010 volunteer of year nominees which are due by March 18th.

Administrator Boyle stated that he will attend a meeting in Passaic County on renewable energy as well as a wellness campaign meeting on Monday and the Commissioners meeting of health fund on March 25th. The Township got \$50,000 from FEMA and we are expecting \$100,000 more. We have also been slated to receive \$191,000 or 75% of our total cost for the December 2010 storm. We have applied for funding for last week's storm. We had over 50 homes affected by flooding last week and reached out to our garbage hauler to assist with garbage pickup. FEMA will fund 75% of those costs. He commended

